

JUN 23 2008

PTOL-413A (05-03)

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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

## Applicant Initiated Interview Request Form

Application No. 10/655,871  
Examiner: Matthew D. Hoel  
Docket No: 112300-1473First Named Applicant: Andrea Hughs-BairdArt Unit: 3714Status of Application: Pending

## Tentative Participants:

(1) Holby M. AbernProposed Date of Interview: June 26, 2008 Proposed Time: 3:00 (PM) Eastern Time

## Type of Interview Requested:

(1) ☒ Telephonic(2) ☐ Personal(3) ☐ Video ConferenceExhibit To Be Shown or Demonstrated: ☐ YES☒ NO

If yes, provide brief description: \_\_\_\_\_

## Issues To Be Discussed

Issues (Rej., Obj., etc)	Claims/ Fig. #s	Prior Art	Discussed	Agreed	Not Agreed
(1) §103(a) Rejection	<u>Claim 1</u>	<u>Dice Game and Baerlocher</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

☐ Continuation Sheet Attached

**Brief Description of Arguments to be Presented:** Applicant submits that the gaming device resulting from the combination of Dice Game and Baerlocher does not anticipate or render obvious that for each iteration, a first modifier changes based on a displayed prediction symbol, a second modifier changes if the prediction symbol matches the selected component symbol, and a third modifier changes if the prediction symbol does not match the selected component symbol and the player correctly picks which symbol set includes the selected component symbol. For example, in the gaming device resulting from the combination of Dice Game and Baerlocher, if a player rolls the die, the value on the die does not match the digit in the price of the car for that roll and the player correctly guesses higher or lower, one interpreted modifier is changed for this roll of the die (i.e. the digit in the price of the car corresponding to that roll is revealed and modified by the corresponding decimal place in the price of the car). On the other hand, the gaming device of independent Claim 1 discloses, amongst other elements, a processor operable to change a first modifier based on the displayed prediction symbol, change a second modifier if the prediction symbol matches the selected component symbol, and change a third modifier if the prediction symbol does not match the selected component symbol and the player correctly picks which symbol set includes the selected component symbol. In one example of the gaming device of independent Claim 1, if the prediction symbol does not match the selected component symbol and the player correctly picks which symbol set includes the selected component symbol, two modifiers will be changed for this selected component symbol (i.e. the first modifier will be changed based on the displayed prediction symbol and the third modifier will be changed to reflect the player correctly picking which symbol set includes the selected component symbol).

Applicants are open to discuss clarifying claim amendments during the interview.

An interview was conducted on the above-identified application on

06-26-2008, 3:00 P.M. EST

## NOTE:

This form should be completed by applicant and submitted to the examiner in advance of the interview (see MPEP § 713.01). This application will not be delayed from issue because of applicant's failure to submit a written record of this interview. Therefore, applicant is advised to file a statement of the substance of this interview (37 CFR 1.133(b)) as soon as possible.

Holby Abern (Reg. No. 47,372)

/Matthew D. Hoel/

(Applicant/Applicant's Representative Signature)

(Examiner/SPE Signature)

This collection of information is required by 37 CFR 1.133. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS

ADDRESS: SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.